

ATTORNEYS AT LAW  
JAMES A. DU CHARME  
MATTHEW J. COHEN

450 TARAVAL STREET, PMB 317  
SAN FRANCISCO, CALIFORNIA 94116-2530  
TELEPHONE: 415-495-4171  
jducharme@pacbell.net

July 5, 2007

The Honorable Joseph C. Spero  
United States District Court  
Northern District of California  
450 Golden Gate Avenue  
15<sup>th</sup> Floor, Courtroom A  
San Francisco, CA 94102

RE: CAROLYN L. WESLEY vs. DICK, MORGANTI, NIBBI, JV AND USA  
NO. DIST. CALIFORNIA C-07-0006

Dear Judge Spero,

On July 5, plaintiff voluntarily dismissed the remaining named defendant. The United States had been earlier dismissed to allow for the exhaustion of administrative remedies. (This is a trip and fall case. The GSA has not formally rejected the claim as of this date.)

If the GSA does reject the claim, I hope to convince the US Attorney to allow plaintiff to file an amended Complaint in this action, saving plaintiff the cost of re-filing. If that does not happen, then a new action will be filed.

Because this action was filed so close to the statute of limitations, plaintiff is reluctant to dismiss the Doe Defendants until there is a degree of certainty that the US Defendant is the sole responsible defendant.

This matter is set for a continued initial case management conference July 27 at 1:30 p.m. Plaintiff respectfully prays the court's indulgence in this matter until the United States is either back in this case as a defendant or plaintiff has ruled out the Doe Defendants of this action. Plaintiff requests that the case management conference be continued an additional 90 days.

If there are questions or concerns about this please call me at my home office: 707-556-3099.

DU CHARME & COHEN

James A. Du Charme

Cc: client

Dated: July 23, 2007

